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File No. 09-12900

6 Attorneys for Movant,  
7 HSBC BANK USA, NATIONAL ASSOCIATION, AS TRUSTEE FOR THE HOLDERS OF  
DEUTSCHE ALT-B SECURITIES MORTGAGE LOAN TRUST, SERIES 2006-AR1  
MORTGAGE PASS-THROUGH CERTIFICATES

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO DIVISION

10 IN RE:

Case No.: 09-47089-A-7  
Chapter 7  
DC No. MBB-001

13 MICHAEL MALONEY AND  
14 TERESA MALONEY AKA  
15 MICHAEL LEE MALONEY, FKA  
16 TERESA LEE DIEHL, AKA TERESA  
LEE MALONEY,  
16  
DEBTORS.

**Hearing -**  
Date: May 10, 2010  
Time: 09:00 A.M.  
Place: U.S. BANKRUPTCY COURT  
501 I Street  
Sacramento, CA 95814  
Courtroom 28, Dept. A, 7th Floor

EXHIBITS 1-3 IN SUPPORT OF MOVANT HSBC BANK USA, NATIONAL  
ASSOCIATION, AS TRUSTEE FOR THE HOLDERS OF DEUTSCHE ALT-B  
SECURITIES MORTGAGE LOAN TRUST, SERIES 2006-AR1 MORTGAGE PASS-  
THROUGH CERTIFICATES'S MOTION FOR RELIEF FROM STAY

Exhibit #	Document	Page #
1	Schedule A of Debtor's Schedules (w/Declaration)	2
2	Schedule D of Debtor's Schedules	4
3	Letter and Stipulation to Chapter 7 Trustee	7

In re **Michael Maloney,  
Teresa Maloney**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

**Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.**

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim
Residence: Partly finished 2582 square foot house on 4.6 acres, unfinished but inhabitable single family residence		J	438,000.00	937,765.00
Location: 4095 Sailors Ravine Rd, Auburn, CA 95603; together with lot 2- 4.6 acres with stream, mortgage is attached to both parcels. FMV on house \$349,000; FMV on lot 2 \$89,000.				

Sub-Total >	438,000.00	(Total of this page)
Total >	438,000.00	

0 continuation sheets attached to the Schedule of Real Property

(Report also on Summary of Schedules)

United States Bankruptcy Court  
Eastern District of CaliforniaIn re Michael Maloney  
Teresa Maloney

Debtor(s)

Case No.  
Chapter 7

## DECLARATION CONCERNING DEBTOR'S SCHEDULES

## DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 23 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date December 10, 2009Signature /s/ Michael Maloney  
Michael Maloney  
DebtorDate December 10, 2009Signature /s/ Teresa Maloney  
Teresa Maloney  
Joint Debtor

*Penalty for making a false statement or concealing property:* Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
18 U.S.C. §§ 152 and 3571.

In re Michael Maloney,  
Teresa Maloney

Case No. \_\_\_\_\_

Debtors

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR H W J C	Husband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT X UNLIQUIDATED X DISPUTED X	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL		UNSECURED PORTION, IF ANY
Account No. xxxx9378		Opened 9/01/05 Last Active 6/22/09 First Mortgage Residence: Partly finished 2582 square foot house on 4.6 acres, unfinished but inhabitable single family residence Location: 4095 Sailors Ravine Rd, Auburn, CA 95603; together with lot 2-4.6 acres with stream, mortgage is				
Countrywide Home Lending Attention: Bankruptcy SV-314B Po Box 5170 Simi Valley, CA 93062	J	Value \$ 438,000.00		743,200.00	305,200.00	
Account No. xxxxx9379		9/2005 Last Active 3/31/2009 Second Mortgage Residence: Partly finished 2582 square foot house on 4.6 acres, unfinished but inhabitable single family residence Location: 4095 Sailors Ravine Rd, Auburn, CA 95603; together with lot 2-4.6 acres with stream, mortgage is				
Countrywide Home Lending Attention: Bankruptcy SV-314B Po Box 5170 Simi Valley, CA 93062	J	Value \$ 438,000.00		185,648.00	185,648.00	
Account No. x6474		3/30/2007 Loan against mutual funds Loans secured by Mutual Funds (see attachment)				
First Command Bank 4100 S Hulen St Fort Worth, TX 76109	H	Value \$ 99,838.00		50,000.00	0.00	
Account No. x6220		3/16/09 Loan against Mutual Funds Loans secured by Mutual Funds (see attachment)				
First Command Bank 4100 S Hulen St Fort Worth, TX 76109	H	Value \$ 99,838.00		54,890.00	5,052.00	
Subtotal (Total of this page)				1,033,738.00	495,900.00	

1 continuation sheets attached

In re **Michael Maloney,  
Teresa Maloney**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**  
 (Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B E T T O R  H W J C	Husband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONT INGENT	UN LI QU I D ATE D	DIS P U TE D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. <b>xxx-xxx-xx1-000</b>		12/10/2008 Property Taxes Residence: Partly finished 2582 square foot house on 4.6 acres, unfinished but inhabitable single family residence Location: 4095 Sailors Ravine Rd, Auburn, CA 95603; together with lot 2- 4.6 acres with stream, mortgage is					
Placer County Treasurer-Tax Collector PO Box 7790 Auburn, CA 95604-7790	J	Value \$ <b>438,000.00</b>				<b>5,917.00</b>	<b>5,917.00</b>
Account No. <b>xxx-xxx-xx2-000</b>		12/10/08 Property Taxes Residence: Partly finished 2582 square foot house on 4.6 acres, unfinished but inhabitable single family residence Location: 4095 Sailors Ravine Rd, Auburn, CA 95603; together with lot 2- 4.6 acres with stream, mortgage is					
Placer County Treasurer-Tax Collector PO Box 7790 Auburn, CA 95604-7790	J	Value \$ <b>438,000.00</b>				<b>3,000.00</b>	<b>3,000.00</b>
Account No.							
Account No.							
Account No.							
Sheet <b>1</b> of <b>1</b> continuation sheets attached to Schedule of Creditors Holding Secured Claims			Subtotal (Total of this page)			<b>8,917.00</b>	<b>8,917.00</b>
			Total (Report on Summary of Schedules)			<b>1,042,655.00</b>	<b>504,817.00</b>

In re Michael Maloney  
Teresa Maloney

Case No. \_\_\_\_\_

Debtor(s)

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS****Attachment A**

**PLEDGED SHARES**  
**FIRST COMMAND BANK**  
**COMBINED LOAN #76624**

<b>FUND</b>	<b>ACCOUNT #</b>	<b>OWNER(S)</b>	<b>PRINCIPAL \$54,890.48</b>
Loan #76220	<b>DATED 3/16/09</b>	<b>MATURITY 4/3/2013</b>	
TDM	711-0005635952	H&W	
TPG	101-1974731594	H	
DS2	0414-07049538546	H&W	
Loan #66474	<b>DATED 3/30/07</b>	<b>MATURITY 4/3/2011</b>	<b>PRINCIPAL \$50,000.00</b>
TEMPLETON GROWTH FUND	101-1971974731594	TAILWINDS TRUST SIGNED BY MICHAEL & TERESA L. MALONEY, TRUSTEES	
FIDELITY DESTINY PLANS II	0414-07049538546	TAILWINDS TRUST SIGNED BY MICHAEL & TERESA L. MALONEY, TRUSTEES	
TEMPLETON FOREIGN FUND	104-4974101277	TAILWINDS TRUST SIGNED BY MICHAEL & TERESA L. MALONEY, TRUSTEES	
TEMPLETON DEVELOPING MARKETS	711-0005635952	TAILWINDS TRUST SIGNED BY MICHAEL & TERESA L. MALONEY, TRUSTEES	
TEMPLETON GLOBAL	103-3970566048	TAILWINDS TRUST SIGNED BY MICHAEL & TERESA L. MALONEY, TRUSTEES	

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 RYAN W. STOCKING  
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February 16, 2010

(VIA REGULAR MAIL)

MAILED

Michael F. Burkart  
 5150 Fair Oaks Blvd. #101-185  
 Carmichael, CA 95608

Re: Debtor(s) : MALONEY  
 Loan No. : 9378  
 Bk. Case No. : 09-47089-A-7  
 Our File No. : 09-12900

Dear Mr. Burkart:

This firm represents HSBC BANK USA, NATIONAL ASSOCIATION, AS TRUSTEE FOR THE HOLDERS OF DEUTSCHE ALT-B SECURITIES MORTGAGE LOAN TRUST, SERIES 2006-AR1 MORTGAGE PASS-THROUGH CERTIFICATES, the holder of a claim secured by property of the estate commonly known as **4095 Sailors Ravine Road, Auburn, CA 95603** ("Property"). We are preparing to file a Motion for Relief based on a belief that there is no equity in the Property. The Scheduled value is \$438,000.00 and my client is owed approximately \$831,688.62 on its first priority deed of trust, so there is no equity for the estate even before costs of sale and exemptions are considered.

Please confirm that you have no intention of administering the collateral as an asset of the estate by endorsing the enclosed consent order for relief from stay. If you do intend to administer the collateral, please confirm and let us know the status of your marketing efforts.

Your cooperation in this matter is appreciated. If you have any questions on this matter, please contact me or my assistant, Pamela Le.

Very truly yours,

MILES, BAUER, BERGSTROM & WINTERS, LLP

Vy T. Pham  
 VTP/prl